

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-20 are currently pending. Claims 1, 6, 11 and 16 are independent. Claims 1, 6, 7, 11, and 16 are hereby amended. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification, specifically at pages 9-10. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-20 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,668,597 to Parulski et al. (hereafter merely "Parulski") in view of U.S. Patent No. 4,841,369 to Nishizawa, et al. (hereinafter, merely "Nishizawa").

Claim 1 recites, *inter alia*:

"An image photographing apparatus...

a pulse counter circuit for receiving instructions from said control means indicating a quantity of rows that are not to be read out and are read using a high speed clock and setting a value in response to the quantity of rows that are not to be read out,

wherein when the quantity of rows that are not to be read out equals a predetermined value of counted rows, output signals are generated to control a switching unit which switches from the high speed clock to a normal vertical clock,

wherein the normal vertical clock corresponds to a read out period where horizontal lines corresponding to the detection area are read out.” (emphasis added)

As understood by Applicant, Parulski relates to an apparatus for automatically focusing an image upon a progressive scan image sensor based upon signals from a partial area of the sensor. A camera apparatus is adjusted to a position where focusing the camera lens is integrated for a period of time. During this time period, a top portion of the image is rapidly read out and discarded using “fast flush” clocking where the vertical and horizontal registers are continuously clocked and a fast dump gate remains high. A vertical clock sequence is set to a line skipping operating while the small number of remaining lines are clocked out.

As understood by Applicant, Nishizawa relates to a solid-state imaging system with a vertical and/or horizontal window function, in which vertical and/or horizontal scanning corresponding to an unnecessary pick-up range of a camera subject is done with a high rate or omitted by driving with high frequency or resetting a vertical and/or a horizontal scanning register .

It is respectfully submitted that Parulski and Nishizawa, taken alone or in combination, fail to teach the above-recited features of independent claim 1. Specifically, Applicant submits that there is no teaching or suggestion an image photographing apparatus comprising a pulse counter circuit for receiving instructions from said control means indicating a quantity of rows that are not to be read out and are read using a high speed clock and setting a value in response to the quantity of rows that are not to be read out, wherein when the quantity of rows that are not to be read out equals a predetermined value of counted rows, output signals are

generated to control a switching unit which switches from the high speed clock to a normal vertical clock, wherein the normal vertical clock corresponds to a read out period where horizontal lines corresponding to the detection area are read out, as recited in claim 1.

Therefore, Applicant submits that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, independent claims 6, 11 and 16 are also believed to be patentable.

Therefore, Applicant submits that independent claims 1, 6, 11 and 16 are patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

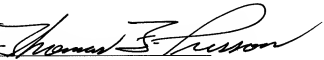
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

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